

No. 7358

**CZECHOSLOVAKIA
and
GERMAN DEMOCRATIC REPUBLIC**

**Agreement concerning railway traffic between the Czechoslovak Republic and the German Democratic Republic.
Signed at Berlin, on 24 October 1955**

Official texts: Czech and German.

Registered by Czechoslovakia on 6 August 1964.

**TCHÉCOSLOVAQUIE
et
RÉPUBLIQUE DÉMOCRATIQUE ALLEMANDE**

Accord relatif au trafic ferroviaire entre la République tchécoslovaque et la République démocratique allemande. Signé à Berlin, le 24 octobre 1955

Textes officiels tchèque et allemand.

Enregistré par la Tchécoslovaquie le 6 août 1964.

[TRANSLATION — TRADUCTION]

No. 7358. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE CZECHOSLOVAK REPUBLIC AND THE GOVERNMENT OF THE GERMAN DEMOCRATIC REPUBLIC CONCERNING RAILWAY TRAFFIC BETWEEN THE CZECHOSLOVAK REPUBLIC AND THE GERMAN DEMOCRATIC REPUBLIC. SIGNED AT BERLIN, ON 24 OCTOBER 1955

The Government of the Czechoslovak Republic and the Government of the German Democratic Republic, desiring to regulate railway traffic between the two countries, have agreed to conclude an agreement in the following terms, and for this purpose have appointed as their plenipotentiaries :

The Government of the Czechoslovak Republic :

Mr. Jan Kalina, First Deputy of the Minister of Transport,

The Government of the German Democratic Republic :

Mr. Fritz Szczepecki, Secretary of State and First Deputy of the Minister in the Ministry of Transport,

who, having exchanged their full powers, found in good and due form, have agreed as follows :

CHAPTER I

GENERAL PROVISIONS

Article 1

FRONTIER RAILWAY CROSSING POINTS

(1) The following frontier railway crossing points shall be designated for railway traffic between the two countries :

- (a) Vojtanov – Radiumbad Brambach,
- (b) Kraslice – Klingenthal,
- (c) Potůčky – Johanngeorgenstadt,
- (d) Vejprty – Bärenstein,
- (e) Hora sv. Šebastiana – Reitzenhain,
- (f) Moldava v Krušných horách – Hermsdorf-Rehefeld,
- (g) Děčín – Bad Schandau,
- (h) Dolní Poustevna – Sebnitz (Sachs),

¹ Came into force on 15 February 1956, the date of the exchange of notes of approval, in accordance with article 26.

- (i) Jiřikov – Ebersbach (Sachs),
- (j) Varnsdorf – Seifhennersdorf,
- (k) Varnsdorf – Grossschönau (Sachs),
- (l) Hrádek nad Nisou – (Polish territory) – Zittau.

(2) The railway administrations of the two Contracting Parties shall agree which of the frontier railway crossing points enumerated in paragraph (1) shall be opened and for what type of railway traffic; they shall also agree on the closing of a crossing point, if necessary, or a restriction of railway traffic at such points.

(3) The transit and connecting services on every railway section connecting the territory of the Czechoslovak Republic with that of the German Democratic Republic shall be operated jointly in an interchange station to be agreed upon by the railway administrations of the two Contracting Parties. However, the railway administrations of the Contracting Parties may, for the purpose of regulating the transit service at a frontier railway crossing point, designate two interchange stations, one of which shall be in the territory of one Contracting Party and the other in the territory of the other Contracting Party. The interchange station shall be a station of one of the railway administrations in which the two railway administrations deliver and receive each other's trains.

(4) Frontier, customs, veterinary, plant-protection and other inspection services, if any, shall be conducted by the authorities of each Contracting Party in its own territory. Both Contracting Parties may, however, agree as to which of the aforementioned inspection services shall be conducted jointly in the interchange station.

Article 2

OPERATION OF SERVICES ON THE FRONTIER SECTION OF THE LINE

(1) Services on the frontier section of a line, i.e. the section of the line between the interchange station and the international frontier, shall be operated by the railway administration of the State in whose territory the said section lies.

(2) Train despatching on this frontier section of the line in the transit and connecting services shall be carried out by the railway administration of the other Contracting Party.

(3) In order to obtain that services shall be offset by similar services in despatching operations the railway administrations of the two Contracting Parties

shall determine in a special agreement the way in which the offsetting of services by similar services shall be achieved at a railway frontier crossing point where two interchange stations have been designated.

Article 3

WRITTEN AND ORAL COMMUNICATION IN THE INTERCHANGE AND CONNECTING SERVICES

(1) The official language of the country in which the interchange station is situated shall be used in oral and written communications.

(2) Both Contracting Parties shall ensure that employees who perform their duties in the interchange stations and in the trains on the frontier sections have sufficient command of the official language of the other Contracting Party to enable them to make themselves understood to travellers and to the employees of that Contracting Party.

Article 4

MARKING OF OFFICIAL PREMISES

(1) Each Contracting Party shall be entitled to have official premises used exclusively by its employees in the interchange station marked with its own inscriptions. Such inscriptions shall be in the official language of the two States, and the text in the official language of the State in whose territory the interchange station is situated shall precede the text in the official language of the other State.

(2) Official announcements and other notices not of an official character to be posted in or on official premises of the authorities of the other Contracting Party in the interchange station, shall first be submitted to the competent departmental supervisor in the interchange station or, in the case of the inspection services, the competent supervisor of the inspection service concerned.

(3) Each Contracting Party shall be entitled to fly its State flag on the official premises used exclusively by its employees in the interchange stations, and to have such premises decorated.

Article 5

SAFE-GUARDING OF PERSONNEL ON DUTY

(1) Employees serving in the interchange station and on the frontier section of the railway line shall be required, in the interests of efficient service, to act in a manner consistent with the friendly relations existing between the two Contracting Parties, and to conduct themselves properly both on and off duty.

(2) Employees of the Contracting Parties serving in the interchange station and on trains on the frontier section in the territory of the other Contracting Party shall perform their duties in accordance with the laws and regulations of their own State.

(3) Such employees shall keep order in the official premises for their exclusive use and shall be authorized to prevent unauthorized persons from remaining there. The competent authorities shall be obliged to give protection and assistance to the employees of the other Contracting Party if requested to do so.

Article 6

LEGAL STATUS OF EMPLOYEES OF THE CONTRACTING PARTIES

(1) The nationality and conditions of employment of the employees employed in the interchange station and the frontier section in the territory of the other Contracting Party shall not be affected by their presence in that territory.

(2) The employees referred to in paragraph (1) shall be exempt vis-à-vis the other Contracting State from all direct taxes, duties and charges, in so far as such taxes, duties and charges arise in connexion with income from their work as such.

(3) The employees referred to in paragraph (1) shall enjoy the same legal remedy as the nationals of the State in whose territory they are present.

(4) Unless otherwise prescribed in this Agreement, employees of each Contracting Party employed on official business on the territory of the other Contracting Party shall be obliged to comply with the law in force there.

(5) Employees of each Contracting Party shall be answerable to their superiors for offences committed in the course of their duties in the territory of the other Contracting Party.

(6) Each Contracting Party shall be entitled to demand the removal of employees of the other Contracting Party. The latter shall be obliged to comply with such a request. Reasons for the request for removal shall, as far as possible, be supplied on request.

(7) If criminal proceedings are taken against an employee of one Contracting Party in the territory of the other Contracting Party, the officer responsible for the employee in question shall be informed immediately. At the same time all necessary steps shall be taken for the protection of the interests of the Contracting Party whose employee is involved, specially such steps as are necessary to ensure efficient conduct of the service.